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Docket No. ORT-14486-26-4



#### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Qin et al.

Serial No.: 09/875,456

Art Unit: 1653

Filed

: June 6, 2001

Examiner:

For

: THE HUMAN VOLTAGE GATED SODIUM CHANNEL B1A SUBUNIT

AND METHODS OF USE

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner For Patents, Washington, D.C. 20231 on

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#### INFORMATION DISCLOSURE STATEMENT

Dear Sir:

Pursuant to 37 C.F.R. §1.56 and in accordance with 37 C.F.R. §§1.97-1.98, information relating to the above-identified application is hereby disclosed. Inclusion of information in this statement is not to be construed as an admission that this information is material as that term is defined in 37 C.F.R. §1.56(b).

Applicant(s) reserve(s) the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this

information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist.

In accordance with §1.97(b), since this Information Disclosure Statement is being filed either within three months

of the filing date of the above-identified national application (other than a continued prosecution application under §1.53(d)), within three months of the date of entry into the national stage of the above identified application as set forth in §1.491, or before the mailing date of a first Office Action on the merits of the above-identified application, or before the mailing date of a first Office Action after the filing of a request for continued examination under §1.114, no additional fee is required. In accordance with §1.129(a), this Information Disclosure Statement is being filed in connection with \( \square\$ the first or second After Final Submission, therefore: Statement in Accordance with §1.97(e) (attached); or Please charge Deposit Account No. 10-0750/ the fee of \$180.00 as set forth in \$1.17(p). In accordance with §1.97(c), this Information Disclosure Statement is being filed after the period set forth in §1.97(b) above but before the mailing date of either a Final Action under §1.113 or a Notice of Allowance under §1.311, or an action that otherwise closes prosecution and that it is accompanied by one of: Statement in Accordance with §1.97(e) (attached); or

Please charge Deposit Account No. 10-0750/ the fee of \$180.00 as set forth in §1.17(p). In accordance with §1.97(d), this Information Disclosure Statement is being filed after the mailing date of either a Final Action under §1.113 or a Notice of Allowance under §1.311 but before the payment of the Issue Fee. Applicant(s) hereby petition(s) for consideration of this Information Disclosure Statement. Included are: Statement in Accordance with §1.97(e) as set forth below and the fee of \$180.00 as set forth in §1.17(p). Copies of each of the references listed on the  $\boxtimes$ attached Form PTO-1449 are enclosed herewith. Copies of references listed on the attached Form PTO-1449 are enclosed herewith EXCEPT THAT: In view of the voluminous nature of references [list as appropriate], and the likelihood that these references are available to the Examiner, copies are not enclosed herewith. If any of the foregoing publications are not available to the Examiner, Applicant will endeavor to supply copies at the Examiner's request. There are no listed references which are not in the  $\boxtimes$ English language. The relevance of those listed references which are not in the English language is as follows:

 $\boxtimes$ Attached are copies of search report(s) from corresponding patent application(s), which are listed on the attached Submission Under MPEP 609 D. Attached are the following non-published pending patent applications which may be deemed relevant, which are listed on the attached Submission Under MPEP 609 D. Please charge any deficiency or credit any overpayment to Deposit Account No. 10-0750/ORT-1448/MHM. This form is submitted in triplicate. Respectfully submitted, Myra H. McCormack Reg. No. 36,602 Attorney for Applicants Johnson & Johnson One Johnson & Johnson Plaza New Brunswick, NJ 08933-7003 (732) 524-6932 DATED:( - 4 -

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Application Number	09/875,456				
Filing Date	June 6, 2001				
First Named Inventor	Qin				
Group Art Unit	1653				
Examiner Name					
Attorney Docket Number	ORT-1448				

				U.S. PATENT DOCUMENTS		
Examiner Initials	Cite	U.S. Patent Do	Kind Code <sup>2</sup> (if known)	Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document mm-dd-yyyy	Pages, Columns, Lines, where relevant passages or relevant figures appear
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	1653	Group Art Unit
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		OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS	
	i	Include name of the author (in CAPITOL LETTERS), title of the article (when appropriate), title of the item	_
Examiner's	Cite	(book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s),	T <sup>2</sup>
Initials*	No.1	publisher, city and/or country where published	
V_		MORAN, OSCAR, et al., "Endogenous expression of the B1A sodium channel subunit in HEK-293 cells," FEBS Letters	
		(2000) Vol 473, No 2 Pages 132-134	
2		MAKITA, Naomasa et al., "Homo sapiens sodium channel beta-1 subunit (SCN1B) mRNA, complete cds.," Database EM HUM ID HSVGSC1B, AC L16242 XP-002193421 (1994)	
~	<u> </u>	MAKITA, Naomasa et al., "Voltage-gated Na+ channel beta 1 subunit mRNA expressed in adult human skeletal muscle,	
_		heart, and brain is encoded by a single gene," Journal of Biological Chemistry (1994) Vol 275, No 2 Pages 7571-7578 XP-002145888	
$\overline{\mathcal{V}}$		KAZEN-GILLESPIE, K.A. et al., "Rattus norvegicus voltage-gated sodium channel subunit beta1-A (SCN1B) mRNA, alternatively spliced, complete cds," Database EM RO ID AF182949, AC 182949 XP-002193422 (2000) .—	
9		SOARES, NSF, "Homo sapiens cDNA clone," Database EM EST ID AI742310, AC AI742310 XP-002193423 (1999)	
~		DOE JOINT GENOME INSTITUTE, "Homo saplens chromosome 19 clone CTD-2527i21, Working Draft Sequence, 13 unordered pieces," Database EM HTG ID AC020907, AC AC020907 XP-002193424 (2000)	
~		DIB-HAJJ, Sulayman D. et al., "Genes encoding the beta-1 subunit of voltage-dependent Na+ channel in rat. mouse and human contain conserved introns," FEBS Letters (1995) Vol 377, No 3 Pages 485-488 XP-002193420	_
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Page 1 of 1

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